

**Minutes of the Regular Planning Board Meeting  
June 27, 2005 – 7:00 p.m.**

1.     CONVENE:             7:13 p.m.
2.     FLAG SALUTE:     Ms. Mariani
3.     ROLL CALL:        President Cunningham, Vice President Cook, Lynch, Mariani, and Piziali.

Board members Kolhstrand and McNamara were absent.

Also present were Deputy City Attorney Julie Harryman, Supervising Planner Cynthia Eliason, Leslie Little, Development Services Director, Jennifer Ott, Development Manager, Development Services Department, Planner III Douglas Garrison, Planner III Allen Tai.

4.     MINUTES:            Minutes for the meeting of June 13, 2005.

Vice President Cook advised that page 8, paragraph 9, should be changed to read, “Vice President Cook advised that periodic review for *a variety of parking* issues had been attached to use permits in the past.”

M/S Piziali/Cook to approve the minutes for the meeting of June 13, 2005, as corrected.

A quorum for a vote on the minutes was not present. They will be carried over to the next meeting.

5.     AGENDA CHANGES AND DISCUSSION:

President Cunningham advised that the Board had requested that all Consent Calendar items with the exception of Item 7-E, be placed on the regular agenda.

6.     ORAL COMMUNICATION:None.

7. CONSENT CALENDAR:

- 7-A. **PDA05-0003 Applicant: Joe Ernst/SRM Associates (DG).** The applicant proposes a Planned Development Amendment to amend the Harbor Bay Business Park landscaping and lot coverage provisions as established in Resolution 1203. This Amendment would affect Lots 1-6, 8-12 and 14 of Tentative Parcel Map 8574. These lots are fronting on or southerly of 1900 and 2000 North Loop Road. The proposed Planned Development Amendment would allow a five percent (5%) increase in building coverage for parcels larger than 5.5 acres. Currently, maximum allowed building coverage is thirty five percent (35%) for lots larger than 5.5 acres and forty percent (40%) on lots smaller than 5.5 acres. The maximum lot coverage allowed on lots smaller than 5.5 acres would not be affected. The proposed Planned Development Amendment would also decrease the minimum landscape coverage by five to ten percent (5 to 10%), depending on lot size. Currently, 30% landscaping coverage is required on lots smaller than 5.5 acres and 25% landscaping coverage is required for parcels larger than 5.5 acres. The proposed Planned Development Amendment would decrease the landscaping requirement to twenty percent (20%) for these lots regardless of size. The property is zoned C-M – PD (Commercial-Manufacturing – Planned Development.)

This item was removed from the Consent Calendar and placed on the Regular Agenda.

Mr. Garrison summarized the staff report. Staff recommended approval of this item.

The public hearing was opened.

Mr. David Kirwin, 1416 Seminary Avenue, spoke in opposition to this item. He expressed concern that this item would chip away at the rules established for building on Bay Farm Island. He had not heard any good reasons for allowing slightly less landscaping or more construction density of warehouse structures on these parcels. He inquired whether further subdivision would then be allowed.

The public hearing was closed for Board discussion.

Mr. Garrison noted that this business park was originally conceived as a campus-like setting with larger office buildings, and some high-rise office buildings as well, with open space between the buildings. He noted that kind of development has not materialized, and the developer found a market for somewhat smaller buildings that focused more on warehousing, distribution and light manufacturing. From their perspective, it was not feasible to convey a larger lot to an individual business owner, and then require extensive landscaping. This item was proposed to make things economically feasible for the developer, and to balance that against the public interest.

Ms. Leslie Little, Development Services Director, stated that it was important to note that the developer was not just trying to make an economical development, but to respond to a drastic change in the office market in the Bay Area. She noted that more density had originally been planned for this park vertically; the floor plate was spread over a greater area, but the buildings would be lower. She added that the applicant overlandscaped in other parts of the park.

In response to an inquiry by Vice President Cook regarding the future possibility of building up, Ms. Eliason noted that the Final Development Plans would preclude that choice because the applicant would have to meet parking requirements; parking was based on a partial warehouse-type use, which was less dense than office. She noted that the entire lot would have to be redeveloped entirely; they would not be able to just add a second story.

Vice President Cook expressed concern about having a balance in the public interest, including safety for children and traffic. She had been uncomfortable approving these speculative projects without more information about traffic, parking and other issues. She suggested a potential mitigation by allowing 7-B to be approved without also approving all the parcelization and changing the landscaping requirements.

Ms. Eliason noted that the PDA could be limited to only Parcel 14 (Ettore). That would not allow 7-C (four flex warehouses) to move forward at this time. The Parcel Map referenced was already approved by the Planning Board and will be heard by City Council in July.

Vice President Cook did not feel she had enough information, and needed more environmental analysis and examination of the schools and roads. She believed the business park as a whole was excellent quality.

Mr. Lynch suggested that the 15 parcels be brought back for discussion of circulation, landscaping, and building design, and to move the Tentative Map forward.

Ms. Eliason noted that the Tentative Map had been approved, and that the entire business park was under a development agreement, which specified the land uses that may be included in the business park. Those uses included Office, R&D, as well as any use in the C-M District, which also included warehouse/light manufacturing. She noted that the Board had limited ability to change the uses.

Vice President Cook would like the parcels, except for Ettore, to return for further analysis and discussion of compatibility of uses with schools and future plans for the other side of North Loop Road, as well as the impacts associated with trucks and related uses.

Mr. Joe Ernst, applicant, SRM Associates, would like to avoid putting the entire Parcel Map on hold because portions of that Map would not be affected by the PDA. He noted that transactions were tied to those portions that were conforming uses with respect to current development standards.

M/S Lynch/Cook and unanimous to adopt Planning Board Resolution No. PB-05-23 to continue this item with the exception of Lot 14.

AYES – 5 (Kohlstrand, McNamara absent); NOES – 0; ABSTAIN - 0

- 7-B. **FDP05-0001/DR05-0050 Applicant: Joe Ernst/SRM Associates for Ettore Products (DG).** 2100 North Loop Road. The applicant requests a Final Development Plan and Design Review for a new 88,630 square foot warehouse, office and light manufacturing facility located at 2100 N. Loop Road (Parcel No. 14 on Tentative Parcel Map No 8574). The property is zoned C-M – PD (Commercial-Manufacturing – Planned Development.)

This item was removed from the Consent Calendar and placed on the Regular Agenda.

This item was discussed under Item 7-A.

M/S Lynch/Mariani and unanimous to adopt Planning Board Resolution No. PB-05-24 to approve a Final Development Plan and Design Review for a new 88,630 square foot warehouse, office and light manufacturing facility located at 2100 N. Loop Road (Parcel No. 14 on Tentative Parcel Map No 8574).

AYES – 5 (Kohlstrand, McNamara absent); NOES – 0; ABSTAIN - 0

- 7-C. **FDP05-0002/DR05-0057 Applicant: Joe Ernst/SRM Associates (DG).** The applicant requests a Final Development Plan and Design Review for four (4) new flex warehouse, office and light manufacturing facilities ranging in size from 13,900 to 33,272 square feet on 6.41 acres adjacent to and southerly of 2000 North Loop Road (Parcels 8-12 on Tentative Parcel Map No. 8574). These facilities will be on one lot of approximately 11.53 acres until the final map is approved. The property is zoned C-M – PD (Commercial-Manufacturing – Planned Development.)

This item was removed from the Consent Calendar and placed on the Regular Agenda.

This item was discussed under Item 7-A.

M/S Lynch/Cook and unanimous to continue this item, which will be renoticed following discussion with the applicants.

AYES – 5 (Kohlstrand, McNamara absent); NOES – 0; ABSTAIN - 0

7-D. **TM05-0001 - Regency Realty Group, Inc. 2599 Blanding Avenue (AT).** Applicants request approval of Parcel Map 8725 to reconfigure four parcels of land at the Bridgeside Shopping Center. The site is located within the C-2 PD, Central Business Planned Development District.

This item was removed from the Consent Calendar and placed on the Regular Agenda.

Mr. Tai summarized the staff report

The public hearing was opened.

There were no speakers.

The public hearing was closed for Board discussion.

In response to an inquiry by Vice President Cook regarding the timing of this action, Mr. Tai replied that it was appropriate because before the public access easements can be recorded on the site, the parcels must be recorded first. He noted that should not be affected by any change in public access easements. Those easements would be recorded by a separate instrument at a later time. The Broadway Street right of way through the site would be permanently abandoned.

Vice President Cook noted that she was concerned about the current proposed location for the transformers in the view corridors and welcoming area.

Mr. Tai noted that staff was reviewing those issues, which were unrelated to this item.

M/S Piziali/Cook and unanimous to adopt Planning Board Resolution No. PB-05-25 to approve Parcel Map 8725 to reconfigure four parcels of land at the Bridgeside Shopping Center.

AYES – 5 (Kohlstrand, McNamara absent); NOES – 0; ABSTAIN - 0

- 7-E. **DR04-0051, 616 Pacific Avenue, Applicant: Erwin Roxas (AT/EP).** The proposal is an appeal of the code enforcement action which determined that the demolition of a single-family residence, located at the above address, is in violation of the AMC §13-21-10 b (removal or demolition of an historic structure without proper permits) and is, therefore, subject to the five (5) year stay that prevents the issuance of any building or construction-related permits for the property. The applicant had received Major Design Review approval in July 2004 for proposed 1<sup>st</sup> and 2<sup>nd</sup> story additions, enlargement of the detached garage, interior remodel, porch additions, etc. that would add approximately 1,562 square feet to the dwelling and 225 square feet to the garage and storage shed. The property is within the R-4, Neighborhood Residential District. **(Continued from the meeting of June 13, 2005.)**

M/S Mariani/Piziali and unanimous to schedule this item for the City Council.

AYES – 5 (Kohlstrand, McNamara absent); NOES – 0; ABSTAIN - 0

7-F. **UP05-0012 - Regency Realty Group, Inc. 2523 Blanding Avenue (AT).** Applicants request approval of an amendment to Use Permit UP03-0016 to allow operation of the Service Station between the hours of 10:00 p.m. and 7:00 a.m. No changes are proposed to the car wash. The site is located within the C-2 PD, Central Business Planned Development District.

This item was removed from the Consent Calendar and placed on the Regular Agenda.

Mr. Tai summarized the staff report. He noted that the extension of hours would apply only to the service station, not the car wash, and added that there would be no alcoholic beverage sales associated with the gas station. Delivery trucks would be prohibited from idling their engines during delivery. Staff recommended approval of this item.

The public hearing was opened.

Mr. Jim Strehlow, 3122 Gibbons Street, spoke in opposition to this item, and noted that a service station was needed, but not on a 24-hour basis. He believed that Bridgeside should be a good neighbor to the Fernside homeowners. He would agree to hours from 6 a.m. to 11 p.m.

Mr. Rich Bennett, Windsor Drive, spoke in opposition to this item, and believed a 24-hour operation could become an attractive nuisance. He expressed concern about automotive and noise pollution from cars with loud stereos. He was also concerned about loitering late at night, and did not want extra traffic in the neighborhoods at that time of night. He was very concerned about the potential for increased crime.

Mr. Harold MacKenzie, 3263 Thompson Avenue, spoke in opposition to this item and expressed concern about noise, traffic and the potential for increased crime in their neighborhood. He opposed a 24-hour operation, but would support a moderated schedule. He suggested the use of a sound wall.

Mr. Doug Wiele, applicant, noted that their existing conditions of approval allowed for a 24-hour operation for the supermarket, with a limitation on the car wash and gas station. He noted that this application was a request for modification for the operating hours allowed for the gas station. He noted that the notion of a sound wall was interesting, and added that the gas station faced into the project, not out onto the street. He noted that many residential gas stations operated 24 hours a day, and because the grocery store was open 24 hours, there would be eyes on the gas station. They would adopt security monitoring, and a teller window would be open for after-hours operation.

The public hearing was closed for Board discussion.

Ms. Mariani noted that she did not feel comfortable with a 24-hour gas station in this center.

President Cunningham noted that he would not favor a sound wall, but that a landscaped berm might work.

Mr. Piziali noted that he could not support a 24-hour gas station use, and noted that Park Street had 24-hour gas stations. He did not want homes to view the 24-hour use. He would favor a minor



change in hours, such as 6 a.m. to 10 p.m.

Mr. Tai advised that the applicant would be willing to set the hours from 6 a.m. to 10 p.m.

M/S Piziali/Cook and unanimous to adopt Planning Board Resolution No. PB-05-26 to approve an amendment to Use Permit UP03-0016 to allow operation of the Service Station between the hours of 6:00 a.m. and 10:00 p.m. No changes are proposed to the car wash.

AYES – 5 (Kohlstrand, McNamara absent); NOES – 0; ABSTAIN – 0

8. REGULAR AGENDA ITEMS:

- 8-A. **DR05-0041 – Final Design Review of the Proposed New Cineplex - City of Alameda (CE/JO).** Final design review, including consideration of Section 106 findings for the proposed Cineplex at the corner of Oak Street and Central Avenue, generally on the Video Maniacs site. This site is located at 2305 Central Avenue within the C-C and C-C-PD (Community Commercial and Community Commercial -- Planned Development) Districts. **(Continued from the meeting of June 13, 2005.)**

Ms. Ott summarized the staff report. The changes proposed during public and Board comment were:

1. The dome element was eliminated;
2. The aluminum system was changed from clear to dark; and
3. The roof lines were set back as much as possible on the walls closest to the Alameda Theater.

Ms. Ott noted that the dome element was eliminated, but that staff recommended that the clear aluminum system be retained. The project architect was able to set back the corner slightly at the joining of the Cineplex and the historic theater. She noted that the architect, Rob Henry, was not able to attend this meeting.

The public hearing was opened.

Mr. Kyle Connor, Alameda Entertainment Associates, displayed the revised plans for the proposed Cineplex on the overhead screen.

President Cunningham advised that more than five speaker slips had been received.

M/S Mariani/Piziali and unanimous to limit the speakers' time to three minutes.

AYES – 5 (Kohlstrand, McNamara absent); NOES – 0; ABSTAIN - 0

The public hearing was opened.

Mr. Wilbur Richards, 2235 Clement Street, spoke in support of this item. He noted that the island would continue to change, and that it could not return to the past. He noted that the parking lot would be difficult to change to another use, and hoped the proper street trees would be chosen.

Mr. Kevin Frederick, 1287 Caroline Street, spoke in opposition to this item. He believed this project was too massive for this corner and should be scaled down. He did not believe the Cineplex would be financially viable.

Ms. Ani Dimusheva, 2911 Calhoun Street, spoke in opposition to this item. She would miss the view of the Oakland Hills, and did not want that kind of change in Alameda. She noted that the design in people's environment was very important. She suggested building retail uses and incorporating it

into the parking structure. She did not believe the Cineplex would be financially feasible in five years.

Ms. Linda Hansen spoke in opposition to this item, and displayed photographs of the site with projected massing superimposed on the existing site. She noted that while the Twin Towers Church is taller than the proposed structure, the massing of the Cineplex overwhelmed them. She suggested building an open plaza at the Video Maniacs corner with a two-story retail space and a gathering place. She displayed her sketch, and noted this was more in line with contemporary design theory. She believed this would be more pedestrian-oriented.

Ms. Debbie George, speaking as AN individual, not PSBA, spoke in support of this item. She noted that there had been at least ten public meetings on this subject, and noted that the designers had been responsive to public and Board requests.

Mr. Jon Spangler, 1037 San Antonio, spoke in opposition to this item. He noted that he was a business owner and a member of the Chamber of Commerce. He did not believe this project belonged on this particular corner, and believed that the building was too massive. He noted that over 1,500 signatures had been gathered in opposition to this project. He believed that Alameda deserved a better fit than this design, and would like to see alternatives that fit Alameda's character better.

Ms. Barbara Marchand, spoke in support of this item. She believed that no matter how many meetings are held, that there would not be 100 percent agreement on this project. She believed the retail establishments and the people of Alameda would benefit from this project.

Mr. Christopher Buckley, Alameda Architectural Preservation Society, 1017 San Antonio Avenue, noted that AAPS has gone on record supporting the project concept, but had some concerns about the design. He read an excerpt of the report (page 9, item 2) written by the consultant, Bruce Anderson, expressing concerns about the design, and suggesting that refinements of the design should be made. He believed this report had been glossed over by staff. He displayed an illustration of the project, and noted that the transom windows were misaligned.

Mr. Chuck Millar, 2829 San Jose Avenue, spoke in opposition to this item, and noted that he has been very critical of the design from the beginning. He was very concerned that the City would be saddled with a regrettable design. He believed that Bruce Anderson's comments had been treated on the same level as public comment, and added that HAB had been very critical of the design, which was also not apparent. He noted the walls made of precast concrete would be very suitable for Art Deco. He strongly urged that more design elements be included in this project so that it would not be so plain.

Ms. Holly Rose, spoke in opposition to this item, and believed that this project overwhelmed the intersection in a claustrophobic manner. She did not like the aesthetics of the building.

Ms. Melody Marr, CEO Chamber of Commerce, noted that the community had been waiting a long time for this theater. She noted that the visitors and tax revenue were needed badly in Alameda,

particularly to support police and fire services.

Mr. Gene Oh, Alameda Bicycle, spoke in support of this item, and believed the parking structure was also necessary to create a viable and vibrant outdoor downtown.

Ms. Deborah Overfield, spoke in opposition to this item, and noted that she had discussed her concerns with Mayor Johnson. She would like to see a two level parking structure, and only one screen instead of multiple screens. She realized this project had been going on for a long time, but did not believe the current design fit Alameda's character. She was very concerned that the new structure would block the Twin Towers Church, which had just installed new stained glass. She believed that more people should walk in town and not worry so much about parking. She did not like the design at all.

Ms. Valerie Ruma, spoke in opposition to this item, and noted that she would speak on Items 8-A and 8-B simultaneously. She realized that a lot of work had gone into this project, and believed that many Alameda citizens were not aware of the reality of the designs. She noted that some of the recipients of the RFP were not in an appropriate position to do the work, and was not surprised that there were so few responses. She believed the height of the buildings were excessive, and while they did not exceed the decorative structures of the nearby buildings, the structure did overwhelm the main adjacent structures. She suggested that there be sensitive renovation of the Alameda Theater to its original three screens, elimination of the Cineplex building, which would allow for a more distributed parking solution, and public open spaces or smaller scale retail included in the design.

Ms. Rosemary McNally, 2145 San Antonio, spoke in opposition to this item. She had attended or watched many HAB and Planning Board meetings, and believed that the general public had only recently understood what was happening. She opposed the 20-inch overhang, and to it being so close to the street. She suggested building a big theater in Harbor Bay if the City wanted the revenue. She did not believe the decision must be made at this time, and believed that there was more information to be heard.

Ms. Birgitt Evans, 2829 San Jose, spoke in opposition to this item, and complimented staff on summarizing her comments on June 13, 2005. She agreed with Bruce Anderson's Section 106 review, as well as HAB's comments on the design of the Cineplex. She noted that four out five members of the HAB recommended that the architects "go back to the drawing board." She complimented the project architects on their Deco-style cinema in Livermore, and would like to see a design like that in Alameda. She particularly liked the strong vertical elements. She noted that most proponents of the Cineplex had a vested financial interest in it. She believed that Alameda should have a better design for such a major project.

Mr. Anders Lee spoke in opposition to this item. He believed this could be a much better design, and stated that there was considerable public opposition to this design.

Mr. Vern Marsh spoke in opposition to this item. He did not like the proposed design, and would favor the designs suggested by the other speakers. He would like a smaller-scale theater such as the Orinda Theater. He believed the transit congestion on and off the Island would not attract visitors

from other communities.

Mr. Don Grappo, spoke in opposition to this item. He did not oppose the concept of a theater and parking structure, and did not believe it was a good design. He suggested valet parking, and inquired whether the changing technology of movies would make this theater obsolete. He suggested a smaller and more aesthetically pleasing design.

Mr. Harry Hartman, 1100 Peach Street, spoke in support of this application. He believed the design was a positive compromise, and noted that the City did not have the financial resources to fund an elaborate design at this time. He noted that the business district was set up to benefit from a draw such as this theater. He noted that 352 new spaces in the parking structure would take a lot of pressure off the downtown streets. He believed the cost-benefit analysis showed clearly that the benefits of the Cineplex far outweighed the detriments.

Rose, P.O. Box 640353, San Francisco, noted that she was an Alameda resident. She supported the restoration of the theater, and believed that this type of theater could be a model for other specialized movie theaters.

Mr. Rudy Rubago spoke in opposition to this item and noted that this was the first time he had seen this design, and inquired about what had happened to the South Shore movie theater. He expressed concern that this theater might not last very long, and what would happen to the building. He did not like the design. He believed the evolving movie technologies for in-home viewing may make theaters obsolete. He inquired whether the owners or employees of this theater live in Alameda. He expressed concern that the money generated from this use would be spent off the Island. He expressed concern about potential crime in the parking structure. He would like to see a cultural center for the performing arts in Alameda.

Mr. Rich Tester, 2020 Pacific Avenue, noted that he was a Park Street business owner, and spoke in opposition to this item. He expressed concern about the size and shading of the structure; he inquired about the shade study. He was concerned that there would be an alleyway feel to the side of the parking garage, and noted that there were no businesses on that side. He expressed concern about the traffic congestion on Oak Street, which many people used to traverse Alameda.

Ms. Ott advised that right after the June 13 meeting, staff contacted a firm to do a shading analysis, which had a two to three week turnaround time. Staff will report on the results of the shade analysis when it is complete. She noted that the revised HAB minutes were available.

Ms. Pat Pane spoke in opposition to this item, and did not believe the construction of the building in the middle of a historic district was appropriate. She pointed out that the economics of movies was changing, and did not believe that spending money on an outmoded structure and technology would be appropriate. She did not like the design.

Ms. Scott Corkens spoke in opposition to this item, and believed the Cineplex was grossly out of scale. He believed this use would spur more development in the district, and would add to traffic congestion. He was very concerned about danger to pedestrians due to increased traffic. He believed

this building was grossly out of scale for the street, and did not believe anyone would want to renovate the proposed design in the future.

Mr. Jim Strehlow, 3122 Gibbons Street, did not understand the pedestrian flow from the parking garage, which forced customers to walk outside before entering the theater. He did not see much detail for the historic theater portion, and would like to see more information. He wished to ensure the historic theater was not dwarfed. He would like to see live performances in that theater, and would like the Planning Board to plan accordingly.

Mr. Robert Gavrich, 1517 Fountain, spoke in opposition to this item. He expressed concern about the design and the financial details of this project with respect to the developer.

President Cunningham suggested that the financial questions be directed to the City Council, and that the design issues be addressed at this hearing.

Mr. Gavrich noted that the elevation was drawn from a distance of 200 feet, and noted that perspective would not be available in reality. He was concerned about the canyon and wind effect on the street, as well as the noise from the cars driving in the parking garage.

Mr. Richard Rutter noted that the staff report for the parking garage stated that the site survey raised questions regarding the property line along Oak Street and the associated width of the public right-of-way. He noted that there would be a ripple effect into the right-of-way or the building. He complimented historical consultant Bruce Anderson on a good and reasoned analysis. He believed the staff report was at odds with his findings. He would be hesitant to support this project at this point before such open issues were resolved.

Mr. Jerrold Connors, 2531 San Jose Avenue, spoke in opposition to this item, but would favor a more modest three-screen theater like Piedmont Cinema or the Grand Lake. He would like a theater with more character befitting Alameda, and believed it should be scaled back.

Ms. Judith Lynch, 1372 Versailles Avenue, noted that she was a member of the HAB but was speaking as an individual. At the June 13 meeting, she had been concerned that the staff report was based on inaccurate HAB minutes. She thanked staff for making those corrections, but believed that the staff report was still inaccurate with respect to Bruce Anderson's comments on page 9. She generally supported the project, but would like it to look better; she did not believe it was compatible or harmonious in its present state. She believed the Art Deco heritage of Alameda should be celebrated in this design. She displayed an example of a Deco theater, and urged the Board to consider changing the design.

Ms. Paula Rainey spoke in opposition to this item and didn't believe this project met the needs of Alameda. She believed it was too big, and believed that Ms. Hanson's sketch demonstrated how good design can bring people together.

Mr. Mike Corbitt, Harsch Investments, 523 South Shore Center, spoke in support of this application. He noted that this theater would help stop leakage to Oakland, San Leandro and surrounding

communities. He noted this was a catalyst site, and believed the developer was trying to respond to the community's concerns as much as possible. He believed the parking structure was critical to the success of downtown businesses.

Mr. Robb Ratto, Director, Park Street Business Association, spoke in support of this item. He noted that the Board of Directors voted unanimously in favor of the design, and that the majority of PSBA business owners support the design. He noted that this has been a difficult process, and commended the architect for his design and responsiveness to the comments received.

Mr. Frank George, 1419 Park Street, spoke in support of this item. He noted that there was a 10-screen cinema in Twain Harte, a smaller town than Alameda, and that they had no problem filling it. He noted that economic diversity was a critical element of financial success, and that there had been eight theaters in Alameda that functioned at the same time. He noted that this was a centrally-located and oriented parking structure and theater, and that the crossover traffic would benefit the other businesses. He originally thought the building was too massive, but believed it would be a benefit to Alameda.

Mr. Harvey Brook, 2515 Santa Clara Avenue, #208, spoke in support of this application, and noted that he was a Park Street business owner. He was aware of the petitions circulating against the project, with approximately 1,800 signatures, 2.4% of Alameda's 75,000 residents. He noted that there would be impacts on property tax revenues if this project did not go forward. He was very concerned that if this project were to be delayed, the City would no longer be able to afford the project.

Mr. Walt Jacobs, President, Alameda Chamber of Commerce, spoke in support of this item. He noted that this project has been going on for a long time, and that there had been considerable public input. He believed that it was needed to make Alameda more vibrant and attractive to downtown businesses. He believed the design was acceptable, and complimented staff on incorporating the requested changes.

The public hearing was closed for Board discussion.

President Cunningham called for a five-minute recess.

President Cunningham thanked the public for its comments, and noted that financial issues were within the City Council's purview, not the Planning Board's. Because a quorum of four Board members was required for an up-or-down vote, he requested a straw poll of the Board members to determine whether they wished to move the discussion forward.

Mr. Lynch noted that a number of different ideas regarding the value and design of this project had been heard. He was not inclined to deny this project because he believed the City was getting close to a workable project. He respected the emotions felt by members of the public, and was ready to move forward with this project. He encouraged Alameda citizens to continue to be involved with the process.

Mr. Piziali echoed Mr. Lynch's comment, and added that he was ready to move forward with the project. He supported the project at this point.

Ms. Mariani noted that she rejected the design as it stands, and agreed with the HAB's opinion of starting again with the design.

Vice President Cook noted that she would like to continue the discussion, and added that scale was one of the fundamental issues she heard from the public. She noted that City Hall, the new Library and the Twin Towers church were also large-scale projects. She believed it was time to make a final decision. She noted that someone would probably appeal the decision and to bring it to City Council, which would open up further dialogue about the details of the project. She strongly believed that the project should be sent forward with very clear design direction. She would have liked to have had the agreement with Long's, allowing a larger site. She encouraged the residents to revisit the Long's issue with City Council.

President Cunningham agreed with Vice President Cook's comments, and believed the 106 findings should be reviewed to help improve the project. He believed the design of the project had progressed considerably, and noted that some projects can take many years to design. He requested staff's response to the 106 findings.

Mr. Lynch agreed with the speakers who wanted the architect and owner to work with the HAB and PSBA to fill in some Art Deco features along the Central Avenue and Oak Street elevation.

Vice President Cook expressed concern about including *faux* historic elements in the design, which may dilute the genuine historic design. She believed that a theater similar to the Livermore example may overwhelm the historic theater. She believed the architecture should reflect the constant evolution of the City.

Mr. Lynch noted that some of the speakers had modified their comments, and he would incorporate that increased acceptance into his decision-making process.

Mr. Piziali would prefer to send the design to City Council with the Planning Board's comments, and if the Council wished to redirect it to the Board, that would be fine.

President Cunningham believed the aversion to the blank panels would be a major part of the Board's comments to the Council.

In response to an inquiry by President Cunningham, Ms. Eliason confirmed that the HAB has already provided their comments and given a certificate of approval for the historic Alameda Theater; that element would not be within the Planning Board's purview.

In response to an inquiry by Ms. Mariani, Mr. Lynch replied that the Board did not have the ability to scale the project back; the Board may either approve or deny the project.

Ms. Harryman advised that if the Board approved this item, it would only go to Council if someone



appealed it. She noted that the Council may send it back to the Board.

In response to an inquiry by Vice President Cook regarding the changed color of the aluminum and glass on the upstairs element, President Cunningham replied that he agreed with the HAB's recommendation to use the clear aluminum. He wished to clarify that low-E glazing was available in many tints; the Board would prefer the clear low-E glazing.

President Cunningham noted that with respect to page 3, Item 2.2, regarding the base along the theater, a spandrel would provide a base in accordance with the findings. He would like the wording to be modified to provide for a base.

President Cunningham noted that with respect to Item 6, he would not recommend 6-inch aluminum clad element depths in the doors; there should not be any recessed openings.

Vice President Cook agreed with President Cunningham's assessment; although historic buildings had an increased depth, the narrowness of the retail spaces would not accommodate that depth; she would prefer that be changed to enliven the retail space. The Board agreed that item would be deleted.

President Cunningham noted that with respect to Items 8 and 9, a professional lighting designer should be employed for the Cineplex, rather than an electric subcontractor. That design and the signage should come back to the Board. Ms. Eliason advised that Condition 4 of the Draft Resolution already stated that the signage and lighting programs be brought back to the Board.

Vice President Cook liked the addition of the brick veneer, which broke up the larger planes.

President Cunningham noted that the stucco column caps could be eliminated.

In response to an inquiry by President Cunningham whether the color of the brick veneer would be monotone or variegated, Ms. Ott replied that it would be variegated.

President Cunningham noted that the sunlight/shading study should be included in the conditions.

Vice President Cook noted that she was not extremely concerned about the shading study, and believed that the shade should fall on the Long's parking lot; she believed it was important to respond to the public's concerns.

Ms. Eliason noted that because the Cineplex was a permitted use, the Board would not be asked to consider any operational limitations. However, the Board will consider operational limitations for the parking garage.

In response to an inquiry by Mr. Lynch regarding how questions and concerns regarding operational issues for the theater could be voiced, Ms. Eliason suggested that could be expressed before the City Council; those concerns will also be reflected in the record.

Mr. Lynch noted that after the theater opens, it may be necessary for the police to direct traffic at the owner's expense, as they did after the Jack London Square Theater opened.

Ms. Ott noted that there were provisions to handle large crowds for a blockbuster presentation at various times during the year. There would be some education programs so the public could become accustomed to the operation.

Vice President Cook fully agreed with Bike Alameda's comments regarding the bike path on Central Avenue, especially with respect to their call to remove the diagonal parking on Central, and having a bike lane.

Ms. Eliason noted that City Council had made the commitment to remove the diagonal parking, and to have parallel parking and a bike lane in its place.

Vice President Cook was concern about losing the landscaping along the Oak Street façade; she noted that a landscaping plan would soften the large scale of the building. She would like the detailed landscaping plan to return to the Board, addressing both the Cineplex and the garage. Ms. Ott recommended that be conditioned for the garage, because the funding for the landscaping plan is part of the garage contract. She noted the project would have to comply with the City's ordinance, and that there would be street trees for Oak Street. Central Avenue will have street trees along Central as part of the City's ordinance.

Mr. Lynch noted that he had concerns about the large DBH; he would like to see trees that were tall enough to soften the building.

M/S Piziali/Cook to adopt Planning Board Resolution No. PB-05-27 to approve the Final design review, including consideration of Section 106 findings for the proposed Cineplex at the corner of Oak Street and Central Avenue, generally on the Video Maniacs site, with the following modifications:

1. The blank panels will be resolved;
2. Clear aluminum storefronts will be acceptable;
3. Low-E clear glass will be used;
4. A base for retail spaces will be provided;
5. There will not be recessed openings on retail spaces;
6. The lighting plan prepared by a lighting designer will be returned to the Planning Board;
7. The added brick veneer will be retained;
8. The brick veneer will be variegated as specified on the material board;
9. The end caps will be deleted;
10. The shading study will be returned to the Planning Board if there will be shading on Santa Clara; and
11. A sign program will be brought to the Planning Board.
12. The additional brick detail around the movie poster boxes.

AYES – 4 (Kohlstrand, McNamara absent); NOES – 1 (Mariani); ABSTAIN - 0

- 8-B. **UP05-0008/DR05-0028 – Use Permit and Final Design Review of the Proposed New Civic Center Parking Garage – City of Alameda (DSD).** Consideration of a Use Permit and Final design review, including consideration of Section 106 findings, for a new 352-space parking structure at the corner of Oak Street and Central Avenue, generally on the Video Maniacs site. This site is located at 1416 Oak Street within the C-C and C-C-PD (Community Commercial and Community Commercial -- Planned Development) Districts. **(Continued from the meeting of June 13, 2005.)**

M/S Cook/Piziali and unanimous to continue the meeting to 11:30 p.m.

AYES – 4 (Kohlstrand, McNamara absent); NOES – 1 (Mariani); ABSTAIN - 0

Ms. Ott summarized the staff report.

M/S Piziali/Lynch and unanimous to limit the speakers' time to three minutes.

AYES – 4 (Kohlstrand, McNamara absent); NOES – 1 (Mariani); ABSTAIN - 0

The public hearing was opened.

Mr. Kevin Frederick, 1287 Caroline Street, suggested revisiting the idea of removing the garage from Oak Street to an earlier proposed location behind the Elks' Lodge, which would be a bigger site. He noted that a more efficient garage could be built there, next to a four-lane road. He expressed concern that a six-story garage could invite trouble, and that a smaller garage would reduce that risk.

Ms. Melody Marr, CEO, Alameda Chamber of Commerce, spoke in support of this application, and noted that this garage was badly needed in Alameda. She noted that there was no place in Alameda where people could park for a long time without getting parking tickets.

Ms. Nancy Hird was not in attendance to speak.

Mr. Robb Ratto, Director, PSBA, spoke in support of this application, and noted that their Board of Directors had voted unanimously in favor of this design.

Mr. Christopher Buckley, 1017 San Antonio Avenue, noted that he was speak as an individual. He noted that the Board requested a design change to include stronger framing around the posters on the lower level. He had gotten the impression that the Board wanted some sort of depression in the wall so the posters could be inserted in them. He suggested the use of opaque spandrel glass around the perimeter, with the movie posters exposed inside. He believed the use of variegated brick on the Cineplex would be an improvement, and suggested that it be used on the parking garage as well.

Mr. Noel Folsom spoke in opposition to this item. He did not believe this was a true Art Deco design, and believed that it was too large for the site. He did not like the design of the parking garage.

Mr. Harold McKenzie, 3263 Thompson Avenue, spoke in support of this item. He would like the garage to be constructed in such a way that would make it work for the City.

Mr. Eric Strimlin noted that there was an increasing public groundswell against this structure because of its massiveness. He believed it was out of scale with Alameda, and did not understand why the size of the garage could not be reduced. He asked the Board to inspire, not to compromise. He expressed concern that this garage could weigh the downtown down, and requested that the design be reduced.

Mr. Harry Hartman noted that he had a business on Oak Street, and added that parking garages were primarily about functionality. He believed this garage would be an improvement, and that it was not a nondescript structure. He suggested that some work be done to the panels, or that cornices be added for some visual interest. He believed that if the garage were to be well-designed, the ingress and egress would be easy for people.

Mr. Jim Strehlow, 3122 Gibbons Street, noted that he supported the project, but was concerned about its size. He requested information about free parking, and hoped the plans for the garage were fiscally sound so that it could be self-sustaining. He suggested that fewer levels would enable the City to reach that goal, and that there should be subsidized parking validation for the Cineplex, to be paid back by the theater owner. He suggested that there should be parking validation for the library as well. He encouraged monthly parking rental revenue, and some methodology to determine how many people would buy monthly passes for the garage.

Mr. Robert Gavrich, 1517 Fountain, believed this parking garage was not big enough and was concerned that it would be inadequate for evenings when the Cineplex was at capacity. He believed that would be a parking and traffic nightmare, and did not believe the current plan was unworkable. He noted that the City estimated the creation of 300 new jobs, but that many of them would be in construction. He inquired where the employees would park. He noted that the City was invoking eminent domain against the owner of the Alameda Theater, and inquired why that could not be invoked against Long's for the portion of their parking lot that would make this garage publicly acceptable.

Ms. Ani Dimusheva, 2911 Calhoun Street, read an excerpt from the *Alameda Journal* entitled "More Parking is Not Always the Answer:"

"Oak Street between Central and Lincoln Avenue should be Alameda's civic center. That was the advice to Mayor Ralph Appezato from his counterparts in other cities and urban design professionals during last week's seminar of the Mayors' Institute on City Design. The area from historic Alameda High School to the new main library to be built at Oak Street and Lincoln Avenue could be a vibrant area that will bring residents together. . . .

"Alameda doesn't have the land for a civic plaza, but the City could improvise to get the feeling of an open gathering space into the existing compact area, the group told

Apprezzato. Probably the most controversial thing was they strongly recommended not building a parking garage in the Long's lot. Both mayors and design professionals said that a garage, especially one without retail on the ground level will destroy the Civic Center."

Ms. Dimusheva did not want to suggest that there be no parking garage, but she requested that the Board to pay attention to the fact that this area is the civic center, which should be designed on open space, not a canyon. She encouraged the addition of retail on the ground level. She read an excerpt from *The Whole Building Design Guide*:

"Parking has often been reduced to the construction of the most minimal standalone structure or parking lot, without human, aesthetic or integrative considerations. This has given parking a poor public perception, and frequently disturbs or disrupts the existing urban fabric. . . .

"However, many architects, engineers and planners have envisioned and constructed far more complex, aesthetic and integrated structures. This should be the goal of good parking design. . . .

"Aesthetics of garage design has become very important to communities across the country. Recently, garage design has become part of an architectural style of the surrounding architecture. It becomes part of the architectural style of the surrounding architecture, respecting the language of design and using the design process."

Ms. Dimusheva believed that the City did not need a Cineplex, but did need a parking garage. She suggested that the parking garage be built with two or three levels of retail space on the bottom, with the addition of a garden and coffee shops on the top, and a cutout corner for public gathering.

Mr. Jon Spangler, 1037 San Antonio, noted that he had expected more from the Planning Board with respect to the design of the parking garage and that he usually respected their work. He suggested that people use bicycles for transportation more often, and added that parking structures were not generally beautiful. He was not sure that this was the right place for the parking garage. He would rather see the garage without a Cineplex than a Cineplex without a parking garage. He inquired what the City would do when the parking structure is declared obsolete, perhaps before the bonds were paid off. He inquired about the City's exit strategy regarding what would be done with an empty Cineplex when technology makes it obsolete in the future.

The public hearing was closed for Board discussion.

Ms. Leslie Little noted that a number of years ago, a parking assessment was performed in the central business district in which a number of different locations were analyzed to accommodate future parking. A number of public lots were examined, but they did not have the dimensions to accommodate that use. The three top sites were prioritized, and the site was identified as the single greatest priority; it included the Long's parking lot at the time, which yielded 508 parking spaces. She noted that after 6 p.m., the parking structure would be free. She described the payment method

proposed for the garage. She noted that it would not staff-intensive, and that there would be no pay gate to queue up for at the end of the evening.

Vice President Cook noted that there had been more opposition to the theater than the garage, and added that the Board listened carefully to each public speaker. She noted that some items had been addressed previously, such as retail on the ground floor.

Mr. Piziali supported the use of variegated brick to add more detail to the façade.

Ms. Ott noted that Michael Stanton believed that the symmetry of the pattern with respect to the horizontal openings would look better with a more subtle brick design.

President Cunningham believed that the header courses should be fixed, and he was very concerned about the current *brick detail* design.

In response to an inquiry by Mr. Lynch, Ms. Ott confirmed that one of the criteria was that the exterior façade would be consistent with whatever the Planning Board approves. She noted that Michael Stanton specified the quality of the materials in a very detailed way, based on the sample board provided.

Vice President Cook noted that the DDA discussed the City's parking operations plan, which would be submitted in a timely manner and examined in detail by the City Council.

President Cunningham addressed Mr. Spangler's comment regarding an exit strategy, and noted that there was no way to tell what would happen in the future. He believed the floor-to-floor heights could be adjusted, and that the conversion of a parking garage was problematic. He noted that designing structures with an eye towards adaptive reuse before the intended use has begun will compromise the project from the beginning. He hoped that Park Street business would require this volume of parking.

Vice President Cook believed that without the Cineplex, this parking structure would appear too massive on its own.

Mr. Lynch requested the inclusion of the financials at the next presentation. He suggested that with the recent Supreme Court decision regarding eminent domain, that the City Council and City Attorney provide information with respect to potential litigation.

Ms. Mariani noted that she agreed with the modifications suggested by the Board. She did not agree with the scale of the parking garage, and agreed that the City needed parking.

M/S Piziali/Cook and unanimous to adopt Planning Board Resolution No. PB-05-28 to approve a Use Permit and Final design review, including consideration of Section 106 findings, for a new 352-space parking structure at the corner of Oak Street and Central Avenue, generally on the Video Maniacs site, with the following modifications:

1. The size of the poster boxes would be enhanced with contrasting brick detail and

- accents;
- 2. The header courses would be corrected;
- 3. A lighting consultant would be utilized;
- 4. A landscaping plan would be included, and returned to the Planning Board.

AYES – 4 (Kohlstrand, McNamara absent); NOES – 1 (Mariani); ABSTAIN - 0

9. WRITTEN COMMUNICATIONS:

President Cunningham advised that a letter from Sarah [Unavolta], commenting that she was not in favor of Item 8-A.

10. BOARD COMMUNICATION:

- a. Oral Status Report regarding the Alameda Point Advisory Committee APAC. (Vice President Cook).

Vice President Cook advised that their last meeting was held the previous week. Staff will make a presentation before the Planning Board to discuss the future of the project, and what kind of regular review the Board would like.

- b. Oral Status Report regarding Northern Waterfront Specific Plan (Vice President Cook).

Vice President Cook advised that there was nothing new to report since the last meeting.

- c. Oral Status Report regarding the Golf Course Committee (Board Member Piziali).

Board Member Piziali advised that there was nothing new to report since the last meeting.

- d. Oral Status Report regarding the Oakland/Chinatown Advisory Committee (Board Member Mariani).

Board Member Mariani advised that there was nothing new to report since the last meeting.

11. STAFF COMMUNICATIONS:

Ms. Eliason advised that the preliminary concept for Alameda Point was distributed to the Board members. There will be a meeting on that subject in July.

12. ADJOURNMENT: 11:25 p.m.

Respectfully submitted,

Paul Benoit, Interim Secretary

## Planning & Building Department

These minutes were approved at the July 11, 2005, Planning Board meeting. This meeting was audio and video taped.